

Comments to the Alternative Rulemaking Proposal  
Regarding Issues Related to Inmate Calling Services  
CC Docket No. 96-128

1. Imposition of benchmark rates might stifle rate competition.
2. Imposition of benchmark rates would make it difficult for the telephone providers to adapt to changing market conditions affecting their costs and profits.
3. Imposition of benchmark rates would impact existing contractual arrangements between telephone service providers and contracting agencies.
4. Limitations on commissions would have an adverse impact on revenues to inmate trust accounts; which provide educational, recreational, and entertainment services to inmates.
5. The call set-up charge is necessary to off-set the cost of systems administrators who must manage the add-change-delete activities of inmate approved calling lists.
6. Limitations on revenues would have an adverse impact on the using agency's ability to off-set the cost of staff investigators, telephone monitors and consumable supplies; thus adversely impacting public safety and undermining the Homeland Security/Law Enforcement Intelligence gains that have been made through this important intelligence gathering tool.
7. Limitations on rates and commissions could potentially require cutbacks on the number of telephone units available for inmate use, thus limiting their access to contact with friends/family.
8. Limitations on rates and commissions would have an adverse public safety impact on those states that use the commissions from inmate telephones to subsidize coin/card/pay telephones in public areas, such as roadside rest stops, parks, and public buildings.
9. Inmates have alternative means of communication – visits, email, regular U.S. mail, video visitation.
10. Inmates have no constitutional right to telephone service.
11. Rates have already gone down considerably (see attached chart). In PA, long distance rates were decreased by 33% and pre-paid rates were reduced by 9% in 2002. The latest contract signed in 2006 further reduces the rates by 3% to 49% depending on the type of call.
12. Inmate collect call rates are no more expensive in PA than collect call rate charges to the general public at a public pay phone. In fact, the public station-to-station collect call rates are more than average inmate rates – with the average

surcharge being \$4.99 and rate per minutes ranging from \$0.69 per minute for local calling to \$0.99 per minute for interstate calling.

13. Call recipients are protected by rate disclosure recordings, they can choose to accept or decline the call, and they can limit the duration and cost of the call by simply hanging up.
14. Cost of inmate calls allows the telephone service providers to recoup their research development costs of providing prison-specific security measures, such as 3-way call detection, recording/monitoring services, investigator access to recorded messages/call detail records, the required on-site telephone recording archive equipment, and on-site maintenance of telephone units inherent in heavily used/abused handsets in the prison environment.
15. The proposed caps might encourage systems with lower calling rates to actually increase their costs to the cap rates; which would have an adverse impact on inmates and their families/friends.
16. The collect call rates in the prison environment are necessary to compensate the providers for the high rate of uncollectible bills, which are arguably higher than that for the general population at large.
17. Imposition of benchmark rates for interstate calling may result in higher rates for local, intralata, and intrastate calls.